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Can New York and the Nation Frack Safely -- and Profitably?

Andrew Cuomo (Photo credit: saebaryo)

Should New York be in any rush to end its ban on shale gas fracking? Proponents are arguing that the time has come to let commerce flow while opponents are maintaining that it should remain in place until production processes are fool proof.

The state is rapidly becoming the national focus for the anti-fracking campaign that is asking Governor Andrew Cuomo to systematically review shale gas drilling and to carefully weigh the evidence. The governor, in fact, is complying with those requests, which will act to postpone a formal executive decision for several months. While environmentalist are claiming a major win here, it is really a strategic move to compile enough documentation to indicate that the process is safe — and that it will be profitable.

"We've said all along that the decision will be made based on the science, right?" Cuomo said last week, as reported by the New York Times. "It was not predetermined, it was not a political position, let's get the facts, let's make a decision on the facts. I understand the emotion, I deal with the emotion every day on both sides of the issue, right? Let's get some facts and data and some science, and we'll make the decision on the science, which is what should be done here."

Industry is saying that the state is getting left behind while environmentalists are maintaining that communities are better off as a result of the current ban. Cuomo has thus ordered the detailed study. If it would indicate that fracking can be done responsibly, then that would give him the validation he would need to go forth and grant permits.

Hydraulic fracturing, or fracking, is the method by which natural gas producers use to extract the shale gas that is embedded in rocks from a mile or more underground. Drillers use a concoction of water, sand and chemicals to achieve their aims.

Producers say that the process is proven and they point to a Yale University study indicating that as long as current production rates are constant, shale gas development would add \$100 billion a year to the national economy. The same analysis says that environmental mishaps could be limited and mitigated.

Opponents say that fracking is allowing dirty water to escape into watersheds. Nationally, there is a move afoot to require the disclosure of the chemicals used to drill. But in New York, the quest in certain corners is to end the practice altogether. Opponents are citing a study from the Colorado School of Public Health that says those living near drilling sites are getting exposed to unhealthy conditions.

"It's absolutely imperative that a complete, science-based — and unhurried — assessment of the risks associated with fracking be performed before any decisions about moving forward take place," says Kate Sinding, senior attorney for the Natural Resources Defense Council, referring to New York's situation.

Such skeptics are pointing to Pavillion, Wyoming, where EPA has been examining whether the fracking process polluted drinking water there: Regulators, in fact, have discovered "synthetic chemicals" associated with drilling, which have contaminated the ground water. The samples, furthermore, don't meet the Safe Drinking Water Act standard.

The cause: EPA has said that the Pavillion wells were too shallow, or about a quarter of the distance of most such development. If drilling is closer to the surface, then it increases the chance that chemicals would escape and that water supplies would be tainted.

The Potential Gas Committee, a research arm of the natural gas and petroleum industries, has said that this country has a natural gas resource base of nearly 2,000 trillion cubic feet — more than in the last 46 years. Most of the increase since the last 2009 study is the result of re-evaluating shale gas plays along the Gulf Coast Mid-Continent and Rocky Mountain areas.

That is why both major presidential candidates are supporting the facilitation of more natural gas drilling. For President Obama, the issue is helping him in those states that are rich with shale gas reserves — and voters. The president can argue that he is endorsing policies that create jobs while also reducing the level of pollutants regulated under the Clean Air Act.

Obama, though, is requiring additional monitoring to better ensure that the production methods are safe, citing federal authority to oversee clean water laws. Natural gas developers, however, are concerned about the federal government intruding on the state agencies that they think are closer to these issues. That's the position Romney is taking. Regardless, producers are saying that they are extremely diligent.

"When we go out there and do a site, we cordoned off the whole area," says Scott Rotruck, vice president of Chesapeake Energy. "Nothing gets out." The process is taking place a mile-and-a-half below the earth's surface, he adds, noting that current methods typically capture 20 percent of the available shale-gas. "So, the opportunity for innovation is limitless," if only companies are allowed to drill.

It is a national matter. But the spotlight is now on New York, where many are fearing the aftermath of shale gas fracking. It is therefore imperative that developers there — and everywhere — communicate with those activists. Government officials will arbitrate and will ultimately present a "solution." But absent conciliation, those authorities are likely to choose job creation while also heightening safety regulations.

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